

**IN THE UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

<b>WENDY’S NETHERLANDS B.V.,</b>	:	
	:	
<b>Plaintiff,</b>	:	<b>Case No. 2:24-cv-03077</b>
	:	
v.	:	<b>Judge Michael H. Watson</b>
	:	
<b>ANDREW LEVY,</b>	:	<b>Magistrate Judge Kimberly Jolson</b>
	:	
<b>Defendant.</b>	:	

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**JOINT STATUS REPORT**

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Pursuant to this Court’s July 21, 2025 Opinion and Order (ECF # 44) (the “Order”), Plaintiff Wendy’s Netherlands B.V. (“Wendy’s”) and Defendant Andrew Levy, by and through their counsel, hereby submit a Joint Status Report.

In accordance with the Order, this Joint Status Report proposes next steps in this litigation following the Court’s decision to grant Defendant Levy’s Amended Motion to Vacate Cognovit Judgment (ECF # 11). In light of the Order and previous decisions entered into by this Court, the parties agree and propose that this case move forward solely based on Plaintiff Wendy’s claim to enforce and collect on the Cognovit Note and Defendant Levy’s defense of duress.

To facilitate the progress of this matter, the parties respectfully propose the following next steps:

1. Defendant Levy shall file his amended answer to Plaintiff Wendy’s Complaint by August 25, 2025, 21 days following the date of this Joint Status Report. Defendant Levy also must file any motion for leave to file counterclaim by that date.

2. The parties could not agree on the deadlines to complete discovery and file dispositive motions. As such, the paragraphs below lay out the parties' respective positions.

3. Plaintiff Wendy's believes the parties should conduct limited discovery directed at Plaintiff Wendy's enforcement of and ability to collect on the Cognovit Note and Defendant Levy's defense of duress until October 31, 2025. Defendant Levy proposes the discovery deadline be within 180 days for all claims, counterclaims, and defenses, or January 31, 2026.

4. Plaintiff Wendy's proposes the parties must file dispositive motions by November 31, 2025. Defendant Levy proposes a dispositive motion deadline within 60 days after discovery closes, on April 1, 2026.

5. The parties agree to engage in mediation no later than December 19, 2025.

Dated: August 4, 2025

Respectfully submitted,

/s/ Jon Polenberg (per authorization)

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*Attorney for Defendant Andrew Levy*

*Attorneys for Plaintiff Wendy's Netherlands  
B.V.*

**CERTIFICATE OF SERVICE**

On August 4, 2025, this document was filed electronically with the Clerk of the United States Court for the Southern District of Ohio, Eastern Division, which will electronically serve a copy of the foregoing on all counsel of record for all parties.

/s/ Keith Shumate

Keith Shumate

*An Attorney for Plaintiff Wendy's  
Netherlands B.V.*